



United States  
Department of  
Agriculture

Forest  
Service

Alaska Region  
Tongass National Forest  
Hoonah Ranger District

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File Code: 1920-7

Date: June 1, 2009

Erin Allee  
Alaska Department of Natural Resources, DCOM  
P. O. Box 111030  
Juneau, AK 99811-1030

Natural Resources  
Coastal & Ocean Management

**JUN - 2 2009**

Dear Ms. Allee:

We are requesting a letter of concurrence on our consistency determination for the following Hoonah Access and Travel Management (ATM) project proposal. The Forest Service and State of Alaska Memorandum of Understanding (MOU) on Coastal Zone Management Act/Alaska Coastal Management Program Consistency Reviews lists permitted activities normally requiring a consistency determination. Hoonah Access and Travel Management is listed in Section 202.B.1. as a project normally requiring a consistency determination. Below is a description of the project and a brief summary of our determination.

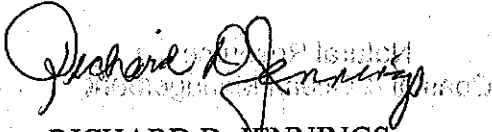
The Hoonah Ranger District is proposing to close about 25 miles of open National Forest System (NFS) roads to motorized vehicles. These 25 miles of closed road, added to the 97 miles of NFS road already closed, would leave a total of 122 miles of NFS road closed to highway vehicles on the district. About 141 miles of NFS road would remain open to highway vehicles; all or parts of these open roads may be open to both highway vehicles and Off-highway vehicles (OHV's), contingent on future studies to review the safety aspects of leaving the roads open to both. About 22 miles of existing NFS road would be designated exclusively for OHV use as OHV trails. An additional 11 miles could be opened for OHV trails if funding is made available to make them accessible and/or to address resource concerns. All other parts of the District (areas not displayed as open roads or OHV trails) would be closed to all forms of motorized surface access (except snowmobiles). A more detailed description of the Proposed Action can be found in Chapter 2 of this EA. See Figure 2, and Appendix A at the end of the EA for road locations and proposed maintenance levels.

The Forest Service determination is "consistent to the maximum extent practicable" for this project, for the following reasons: The standards and guidelines, Best Management Practices (BMPs), and other specific mitigation measures are recommended to prevent or reduce potential impacts associated with the proposed alternative in this ATM EA. The application of the BMPs is designed to fully protect and maintain soil, water, and to prevent or reduce non-point source pollution.



The state approved the BMPs in the Forest Service's Soil and Water Conservation Handbook FSH 2509.22 (USFS 1996b), as consistent with the Alaska Forest Resources and Practices Regulations.

Sincerely,



RICHARD D. JENNINGS  
District Ranger

Enclosures

## Guide to Preparing an ACMP Consistency Determination For Federal Activities

**OBJECTIVE:** Though federal land is excluded from the coastal zone (16 U.S.C. 1453 (1)), federal agency activities, including development projects, affecting any coastal use or resource will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the Alaska Coastal Management Program (ACMP). 15 CFR 930.30. This guide is an optional tool for federal agencies to evaluate federal agency activities for consistency with the ACMP.

**FEDERAL AGENCY ACTIVITY:** Any function performed by or on behalf of a federal agency in the exercise of its statutory responsibilities is a federal activity. The term does not include the issuance of a federal license or permit to a non-federal applicant or the granting of federal assistance to an applicant agency. Please see 15 CFR 930.31 for the complete definition, which includes modifications to a federal agency activity.

### AGENCY INFORMATION

Agency: USDA Forest Service

Address: PO Box 135, Hoonah, AK. 99829

District or Region: Hoonah

Agency Contact: Michelle Putz

Phone: (907)747-4278

Fax Number: ( ) \_\_\_\_\_ Electronic Mail: mputz@fs.fed.us

### PROJECT INFORMATION

1. This activity is a:

☒ new project

Project/Plan Name: Hoonah Access and Travel Management 2009

2. Are any local, state, or federal permits required for this project? ☒ No The Coastal Project Questionnaire (CPQ) can be used to help determine if any state permits are required for the federal activity. If any state permits are required, please complete the CPQ or identify each applicable state permit by agency in the space provided below before continuing with this Guide. Although not required, OPMP recommends the federal applicant attach a copy of each permit application that applies to this project.

Agency  
submitted

Identify Permit

Date application

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## PROJECT DESCRIPTION

Please attach the following:

- A. a detailed description of the project and all associated facilities, noting whether facilities are existing or proposed and whether existing facilities will be modified;
- B. a project time line for the activity, included commencement and completion of any major construction and operation activities and deadlines associated with the project;
- C. a site plan depicting all proposed actions, including detailed maps and/or drawings;
- D. if the project is a modification, please identify existing facilities as well as proposed activities on the site plan;
- E. other supporting documentation needed to determine consistency of the project with the ACMP;
- F. a description of proposed construction techniques and best management practices, if applicable;
- G. any public notice that has been issued.

## PROJECT LOCATION

1. Attach a copy of the topographical map with the project location marked on it.
2. Location of project (nearest community and name of nearest land feature or body of water): Roaded portion of Hoonah Ranger District, mainly north Chichagof Island.
3. The project is on: **X** Federal Land  
*\* State land can be uplands, tidelands, submerged lands to 3 nautical miles offshore, or land beneath the ordinary high water line of navigable waters.*

**If the project is located on State land, the activity may require a State authorization. If land is located within the boundaries of a city or borough, regardless of ownership, the activity may require a local authorization.**

4. The project is located in or adjacent to the following ACMP region (see attached map link): Southeast
5. Is the project located in a coastal district with an approved coastal zone management plan? (See Coastal Zone Boundary Maps). Yes  
District name: Hoonah

#### **WHEN A CONSISTENCY DETERMINATION IS REQUIRED**

- As amended, the federal Coastal Zone Management Act (CZMA) requires that federal agency activities, conducted within or outside the coastal zone, that affect any land, water use, or natural resource of the state's coastal zone be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of Alaska's coastal management program (ACMP)<sup>1</sup>. When a project affects a coastal use or resource of a coastal district with an approved coastal management plan, the project must also be consistent to the maximum extent practicable with the coastal district's enforceable policies<sup>2</sup>. The federal agency determines on a case-by-case basis whether the action will have reasonably foreseeable effects on coastal uses or resources of the state's coastal zone, including cumulative and secondary effects.
- If the federal agency determines the project will have reasonably foreseeable effects on the coastal zone, the federal agency must prepare a consistency determination and provide the determination to the state for review<sup>3</sup>. Completion of this Guide and required attachments may serve as the federal agency's consistency determination. Upon receipt of the complete federal agency's consistency determination per 15 CFR 930.39, the state shall, after providing for public participation, concur with or object to the consistency determination.
- If the federal agency determines the project will not have coastal effects, a negative determination may be required under 15 CFR 930.33(a)(2). (Also see 15 CFR 930.35). If a negative determination is required, please attach a brief

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<sup>1</sup> CZMA Reauthorization Amendments Section 307(c)(1)(A), 16 U.S.C. 1456(c)(1)(A)

<sup>2</sup> The Alaska Coastal Management Program (ACMP) includes approved coastal district plans.

<sup>3</sup> CZMA Section 307(c)(1)(C) requires the consistency determination be provided at least 90 days before final approval of the activity unless the federal agency and the state agree to an alternative schedule.

description of the activity along with the location and basis for the negative determination.<sup>4</sup>

**If the project has reasonably foreseeable effects on any coastal use or resource, please complete the rest of this Guide.**

## **CONSISTENCY WITH ENFORCEABLE POLICES OF THE ALASKA COASTAL MANAGEMENT PROGRAM**

To determine if a project is consistent to the maximum extent practicable with the enforceable policies of the ACMP, please evaluate the project for consistency with each of the standards listed below<sup>5</sup>. If a standard does not apply, briefly explain the reason why (e.g., the standard for energy facilities, 11 AAC 112.230, would not apply to a project that does not involve any such facilities).

### **DISTRICT POLICIES**

Coastal District Policies must also be considered when the project affects a coastal district with an approved management plan. Approved district enforceable policies are located at the OPMP web site at <http://alaskacoast.state.ak.us/District/html/ProgressApproval.htm>. A copy of the district plan is available from the district contact <http://alaskacoast.state.ak.us/Plans/intro.htm> or the Office of Project Management and Permitting.

### **STATE REVIEW**

The Alaska Department of Natural Resources, Office of Project Management and Permitting will coordinate the State's review of this activity for consistency with the enforceable policies of the Alaska Coastal Management Program. The state will inform the Federal agency of its concurrence with or objection to the federal agency's consistency determination pursuant to the timelines established in 15 CFR 930.41. Memorandums of Understanding with a federal agency provide additional guidance for processing a federal agency's consistency determination.

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<sup>4</sup> If a federal agency determines that an activity will not affect any coastal use or resource, then a consistency determination is not required. In some cases, the federal agency must provide the state agency with a notification at the earliest practicable time in the planning of the activity, briefly setting forth the reasons for its negative determination (15 CFR 930.35(a)). The federal agency shall provide the negative determination to the state agency at least 90 days before final federal approval of the activity (15 CFR 930.35(c)). Generally, the federal agency should complete an evaluation of relevant enforceable policies to determine effects on coastal uses or resources.

<sup>5</sup> Federal agencies are encouraged to consult with state agencies and coastal districts to assess whether proposed activities will be consistent to the maximum extent practicable with the ACMP. 15 CFR 930.36(a) and 15 CFR 930.34 (d).

If the state objects to the federal agency's consistency determination, the state will provide its reasons for the objection and supporting information to the federal agency, including a description of how the proposed activity will be inconsistent with specific enforceable policies, and an identification of each such policy with citations. The State response will also provide any alternative measures (if they exist) which, if adopted by the Federal agency, would allow the activity to proceed in a manner consistent to the maximum extent practicable with the enforceable policies of the ACMP, (including approved district plans).  
15 CFR 930.43

## **ACMP Consistency Evaluation For Federal Agency Activities**

Pursuant to 15 CFR 930.30 Federal agencies shall provide State agencies with consistency determinations for all Federal agency activities affecting any coastal use or resource. The consistency determination shall include a brief statement indicating whether the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the (state's) management program. The statement must be based upon an evaluation of the relevant enforceable policies of the management program.

Evaluate your project against each section of the state standards at 11 AAC 112.200 - 11 AAC 112.990 and the applicable district enforceable policies using the template below or by submitting a narrative description in letter or report form. District enforceable policies are available on the ACMP website at <http://www.alaskacoast.state.ak.us>. Definitions of key terms can be found at: 11 AAC 110.990, 11 AAC 112.990 and 11 AAC 114.990.

If you need more space for an adequate explanation of any of the applicable standards, please attach additional pages to the end of this document. Be sure to include references to the specific sections and subsections that you are evaluating.

## **STATEWIDE STANDARDS**

### **11 AAC 112.200. Coastal Development**

#### **Standard:**

- (a) In planning for and approving development in or adjacent to coastal waters, districts and state agencies shall manage coastal land and water uses in such a manner that those uses that are economically or physically dependent on a coastal location are given higher priority when compared to uses that do not economically or physically require a coastal location.
- (b) Districts and state agencies shall give, in the following order, priority to
  - (1) water-dependent uses and activities;
  - (2) water-related uses and activities; and
  - (3) uses and activities that are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.
- (c) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with the standards contained in 33 CFR Parts 320 - 323, revised as of July 1, 2003.

#### **Evaluation:**

- (a) How is your project economically or physically dependent on a coastal location? Why are you proposing to place the project at the selected location?

NA

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(b) Evaluation of development priority.

(1) How is the proposed project water-dependent? Explain.

(2) How is the proposed project water-related? Explain.

(3) If the proposed project is neither water-dependent nor water-related, please explain why there is not a practicable inland alternative that meets the public need for the use or activity. Explain.

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(c) *OPMP defers to the United States Corps of Engineers (USACE) to interpret compliance with the referenced standards.* If you plan to discharge or fill waters of the US, have you applied to the Corps of Engineers for the appropriate authorization?

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#### **11 AAC 112.210. Natural hazard areas.**

##### **Standard:**

(a) In addition to those identified in 11 AAC 112.990, the department, or a district in a district plan, may designate other natural processes or adverse conditions that present a threat to life or property in the coastal area as natural hazards. Such designations must provide the scientific basis for designating the natural process or adverse condition as a natural hazard in the coastal area, along with supporting scientific evidence for the designation.

(b) Areas likely to be affected by the occurrence of a natural hazard may be designated as natural hazard areas by a state agency or, under 11 AAC 114.250(b), by a district.

(c) Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction, and operation of the proposed activity to protect public safety, services, and the environment from potential damage caused by known natural hazards.

(d) For purposes of (c) of this section, "appropriate measures in the siting, design, construction, and operation of the proposed activity" means those measures that, in the judgment of the coordinating agency, in consultation with the department's division of geological and geophysical surveys, the Department of Community and Economic Development as state coordinating agency for the National Flood Insurance Program under 44 C.F.R. 60.25, and other local and state agencies with expertise,

(1) satisfy relevant codes and safety standards; or

(2) in the absence of such codes and standards;

(A) the project plans are approved by an engineer who is registered in the state and has engineering experience concerning the specific natural hazard; or

(B) the level of risk presented by the design of the project is low and appropriately addressed by the project plans.

##### **Evaluation:**

(a) Is your proposed project in a natural hazard area designated by a coastal district? No

(b) Describe the potential natural hazards likely to affect the proposed project site or area.

[http://www.dggs.dnr.state.ak.us/geologic\\_hazards\\_coastal\\_districts.htm](http://www.dggs.dnr.state.ak.us/geologic_hazards_coastal_districts.htm)

(c) Describe how the proposed project is designed to accommodate potential hazards. How will you use site design or operate the proposed activity to protect public safety, services and the environment from potential damage caused by known natural hazards?

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(d)(1) Describe the measures you will take to meet relevant codes and safety standards in the siting, design, construction and operation of the proposed activity.

(d)(2)(A) If your project is located in an area without codes and safety standards, how is your project engineered for the specific natural hazard? or

(d)(2)(B) If the level of risk presented by the design of the project is low, how do the project plans and project design address the potential natural hazard?

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#### **11 AAC 112.220. Coastal access.**

##### **Standard:**

Districts and state agencies shall ensure that projects maintain and, where appropriate, increase public access to, from, and along coastal water.

##### **Evaluation:**

Please explain how the proposed project will maintain and, where appropriate, increase public access to, from and along coastal water. The project proposes to close approximately 24 miles of road. The main roads from Hoonah to water access areas will remain open. Road access to coastal waters should stay the same.

#### **11 AAC 112.230. Energy facilities.**

##### **Standard:**

(a) The siting and approval of major energy facilities by districts and state agencies must be based, to the extent practicable, on the following standards:

- (1) site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;
- (2) site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;
- (3) consolidate facilities;
- (4) consider the concurrent use of facilities for public or economic reasons;
- (5) cooperate with landowners, developers, and federal agencies in the development of facilities;
- (6) select sites with sufficient acreage to allow for reasonable expansion of facilities;
- (7) site facilities where existing infrastructure, including roads, docks, and airstrips, is capable of satisfying industrial requirements;
- (8) select harbors and shipping routes with least exposure to reefs, shoals, drift ice, and other obstructions;
- (9) encourage the use of vessel traffic control and collision avoidance systems;
- (10) select sites where development will require minimal site clearing, dredging, and construction;
- (11) site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination that would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;
- (12) site facilities so that design and construction of those facilities and support infrastructures in coastal areas will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns;
- (13) site facilities so that areas of particular scenic, recreational, environmental, or cultural value, identified in district plans, will be protected;
- (14) site facilities in areas of least biological productivity, diversity, and vulnerability and where effluents and spills can be controlled or contained;

(15) site facilities where winds and air currents disperse airborne emissions that cannot be captured before escape into the atmosphere;

(16) site facilities so that associated vessel operations or activities will not result in overcrowded harbors or interfere with fishing operations and equipment.

(b) The uses authorized by the issuance of state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction are uses of state concern.

**Evaluation:**

(a) If this standard applies to your project, please describe in detail how the proposed project is designed to meet each applicable section of this standard:

- (1) NA
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_
- (6) \_\_\_\_\_
- (7) \_\_\_\_\_
- (8) \_\_\_\_\_
- (9) \_\_\_\_\_
- (10) \_\_\_\_\_
- (11) \_\_\_\_\_
- (12) \_\_\_\_\_
- (13) \_\_\_\_\_
- (14) \_\_\_\_\_
- (15) \_\_\_\_\_
- (16) \_\_\_\_\_

(b) List the authorizations for state and federal leases, easements, contracts, rights-of-way, or permits for mineral and petroleum resource extraction you have applied for or received.

**11 AAC 112.240. Utility routes and facilities.**

**Standard:**

- (a) Utility routes and facilities must be sited inland from beaches and shorelines unless
  - (1) the route or facility is water-dependent or water related; or
  - (2) no practicable inland alternative exists to meet the public need for the route or facility.
- (b) Utility routes and facilities along the coast must avoid, minimize, or mitigate
  - (1) alterations in surface and ground water drainage patterns;
  - (2) disruption in known or reasonably foreseeable wildlife transit;
  - (3) blockage of existing or traditional access.

**Evaluation:**

- (a) If the proposed utility route or facility is sited adjacent to beaches or shorelines, explain how the route or facility is water dependent water related or why no practical inland alternative exists.

NA

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- (b) If the proposed utility route or facility is sited along the coast, explain how you will avoid, minimize or mitigate:

(1) alterations in surface and ground water drainage patterns; Approximately 24 miles of road will be closed. Of the proposed roads for closure only two are near water but do not provide access. Closing roads could include pulling culverts and bridges. On those roads where culverts and bridges are pulled the bank would be taken back to a more natural drainage pattern which could improve fish habitat.

(2) disruption in known or reasonably foreseeable wildlife transit; Approximately 24 miles of road will be closed. Roads increase the opportunity for human-bear interactions and the resulting disturbance and potential displacement. Although closed roads still facilitate access to wildlife through foot traffic it is less detrimental to wildlife. Closing roads can change habitat quality, disturbance level, and mortality rates. Overall this project should have positive effects to wildlife transit.

(3) blockage of existing or traditional access. Meetings with local native corporations have not disclosed any areas that would block traditional access areas.

**11 AAC 112.250. Timber harvest and processing.**

**Standard:**

AS 41.17 (Forest Resources and Practices Act) and the regulations adopted under that chapter with respect to the harvest and processing of timber are incorporated into the program and constitute the components of the program with respect to those purposes.

**Evaluation:**

Does your activity involve harvesting or processing of timber? No X

If yes, please explain how your proposed project meets the standards of the State Forest Resources and Practices Act.

**11 AAC 112.260. Sand and gravel extraction.**

**Standard:**

Sand and gravel may be extracted from coastal waters, intertidal areas, barrier islands, and spits if there is no practicable alternative to coastal extraction that will meet the public need for the sand or gravel.

**Evaluation:**

If your proposed project includes extracting sand or gravel from coastal waters, intertidal areas, barrier islands or spits, please explain why there is no practicable alternative to coastal extraction that meets the public need for sand or gravel.

NA

**11 AAC 112.270. Subsistence.**

**Standard:**

- (a) A project within a subsistence use area designated by the department or under 11 AAC 114.250(g) must avoid or minimize impacts to subsistence uses of coastal resources.
- (b) For a project within a subsistence use area designated under 11 AAC 114.250(g), the applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of
  - (1) a consistency review packet submitted under 11 AAC 110.215; and
  - (2) a consistency evaluation under 15 C.F.R. 930.39, 15 C.F.R. 930.58, or 15 C.F.R. 930.76.
- (c) Repealed 10/29//2004, Register 172.
- (d) Except in nonsubsistence areas identified under AS 16.05.258, the department may, after consultation with the appropriate district, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage.
- (e) For purposes of this section, "federally recognized Indian tribe," "local usage", and "Native corporation" have the meanings given in 11 AAC 114.990.

**Evaluation:**

- (a) Is your proposed project located within a subsistence use area designated by a coastal district?

No X

If yes, please describe how the proposed project is designed to "avoid or minimize impacts to subsistence uses of coastal resources."

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- (b) If your project is located in a subsistence use area designated by the coastal district, provide an analysis or evaluation of its reasonably foreseeable adverse impacts to the subsistence uses.

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- (c) No response required.

- (d) If your project is not located in a designated subsistence use area, please describe any subsistence uses of coastal resources within the project area. Please be advised that subsistence use areas may be designated by the department during a review. Subsistence use of coastal resources occurs through fishing and harvesting of animals and plants along and near shorelines and waterways. Effects to coastal subsistence area expected to be limited since access is generally maintained in both alternatives and boats are not part of this analysis. The following describes general effects to subsistence.

Deer populations are not expected to change under Alternative 2, the proposed action. Localized distribution shifts may result in areas where road usage has changed from the current condition; however, any effects to distribution of deer are expected to be minimal. Access (by foot, vehicle, and ATV) would remain available; however, ATV use would be regulated.

Alternative 1 (no Action) is not expected to affect or change access to the subsistence resource. The Proposed Action was designed to provide access to subsistence resources as best as possible while still meeting the Purpose and Need.

Generally, 123.6 miles of road were not reported as used by the public for subsistence. Of the 156.7 miles of road reported by the public as used for subsistence 126 miles of road in the Proposed Action (over 80%) match the public's reported desired road access for subsistence. The remaining 30.7 miles of road do not match the desired subsistence road access. In the Proposed Action the public would have motorized access via OHV trail on 10 miles of this remaining road; thus motorized access would be provided on 87% of roads identified as used for subsistence, as well as motorized access on additional roads not identified by the public. Many roads in the project area are proposed as closed because they are not used by the public or the Forest Service. Proposed road closures on roads that do not match current or desired subsistence access are because these roads have moderate or high resource concerns, have safety concerns (mainly related to bridge conditions), have a limited Forest Service need for access to manage resources, are short, and/or are currently managed as closed (and would require work and additional funding to open the road).

In both alternatives, established access (by foot, boat, vehicle, and ATV) would remain available and are expected to provide reasonable access to the subsistence resource.

Localized shifts in distribution of hunters may occur, where access is reduced in previously used areas, potentially increasing the density of hunters in certain areas. These effects are expected to be minimal relative to the Area of Analysis; therefore, competition for the resource is not expected to significantly change under this Alternative.

Under Alternative 2, the proposed action, sediment input into streams has the potential to deteriorate fish habitat and therefore lead to a reduction in fish populations. Red and gray stream crossings would continue to limit the upstream migration of fish until they are removed or replaced. Restricted access to upstream fish habitat for spawning and rearing, adequate cover, and available food sources would affect stream capability to maximize fish production and could ultimately reduce fish populations. Access to sites identified as important to subsistence fishing is not expected to be limited under Alternative 2. There are fewer miles of designated ML 2 and 3 open in Alternative 2, which may concentrate subsistence harvest of fisheries resources; however, substantial interference with access leading to a significant increase in competition, or major increases in the use of those resources by non-rural residents is not expected in Alternative 2.

Abundance and distribution of berries and plants is not expected to change under either alternative. Neither alternative would significantly restrict the use of public lands for the purposes of this subsistence resource. The primary roads used to gather firewood and personal timber are categorized as open in both alternatives; therefore, no effects to subsistence gathering of firewood or personal use timber are expected from either alternative.

In summary, neither alternative poses a significant possibility of a significant restriction on the above mentioned subsistence resources or uses. Please refer to the EA and subsistence specialist report for a full analysis of subsistence effects.

(e) No response required.

#### **11 AAC 112.280. Transportation routes and facilities.**

##### **Standard:**

Transportation routes and facilities must avoid, minimize, or mitigate

- (1) alterations in surface and ground water drainage patterns;
- (2) disruption in known or reasonably foreseeable wildlife transit; and
- (3) blockage of existing or traditional access.

**Evaluation:**

If your proposed project includes transportation routes or facilities, describe how it avoids, minimizes, or mitigates

(1) alterations in surface and ground water drainage patterns; Approximately 24 miles of road will be closed. This could include pulling culverts and bridges. On those roads where culverts and bridges are pulled the bank would be taken back to a more natural drainage pattern which could improve fish habitat.

(2) disruption in known or reasonably foreseeable wildlife transit; Approximately 24 miles of road will be closed. Roads increase the opportunity for human-bear interactions and the resulting disturbance and potential displacement. Although closed roads still facilitate access to wildlife through foot traffic it is less detrimental to wildlife. Closing roads can change habitat quality, disturbance level, and mortality rates. Overall this project should have positive effects to wildlife transit.

(3) blockage of existing or traditional access. Meetings with local native corporations have not disclosed any areas that would block traditional access areas.

**11 AAC 112.300. Habitats.****Standard:**

(a) Habitats in the coastal area that are subject to the program are

- (1) offshore areas;
- (2) estuaries;
- (3) wetlands;
- (4) tideflats;
- (5) rocky islands and sea cliffs;
- (6) barrier islands and lagoons;
- (7) exposed high-energy coasts;
- (8) rivers, streams, and lakes and the active floodplains and riparian management areas of those rivers, streams, and lakes; and
- (9) important habitat.

(b) The following standards apply to the management of the habitats identified in (a) of this section:

- (1) offshore areas must be managed to avoid, minimize, or mitigate significant adverse impacts to competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
- (2) estuaries must be managed to avoid, minimize, or mitigate significant adverse impacts to
  - (A) adequate water flow and natural water circulation patterns; and
  - (B) competing uses such as commercial, recreational, or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;
- (3) wetlands must be managed to avoid, minimize, or mitigate significant adverse impacts to water flow and natural drainage patterns;
- (4) tideflats must be managed to avoid, minimize, or mitigate significant adverse impacts to
  - (A) water flow and natural drainage patterns; and
  - (B) competing uses such as commercial, recreational, or subsistence uses, to the extent that those uses are determined to be in competition with the proposed use;
- (5) rocky islands and sea cliffs must be managed to
  - (A) avoid, minimize, or mitigate significant adverse impacts to habitat used by coastal species; and
  - (B) avoid the introduction of competing or destructive species and predators;
- (6) barrier islands and lagoons must be managed to avoid, minimize, or mitigate significant adverse impacts
  - (A) to flows of sediments and water;
  - (B) from the alteration or redirection of wave energy or marine currents that would lead to the filling in of lagoons or the erosion of barrier islands; and

- (C) from activities that would decrease the use of barrier islands by coastal species, including polar bears and nesting birds;
- (7) exposed high-energy coasts must be managed to avoid, minimize, or mitigate significant adverse impacts
  - (A) to the mix and transport of sediments; and
  - (B) from redirection of transport processes and wave energy;
- (8) rivers, streams, and lakes must be managed to avoid, minimize, or mitigate significant adverse impacts to
  - (A) natural water flow;
  - (B) active floodplains; and
  - (C) natural vegetation within riparian management areas; and
- (9) important habitat
  - (A) designated under 11 AAC 114.250(h) must be managed for the special productivity of the habitat in accordance with district enforceable policies adopted under 11 AAC 114.270(g); or
  - (B) identified under (c)(1)(B) or
  - (C) of this section must be managed to avoid, minimize, or mitigate significant adverse impacts to the special productivity of the habitat.
- (c) For purposes of this section,
  - (1) "important habitat" means habitats listed in (a)(1) – (8) of this section and other habitats in the coastal area that are
    - (A) designated under 11 AAC 114.250(h);
    - (B) identified by the department as a habitat
      - (i) the use of which has a direct and significant impact on coastal water; and
      - (ii) that is shown by written scientific evidence to be biologically and significantly productive; or
    - (C) identified as state game refuges, state game sanctuaries, state range areas, or fish and game critical habitat areas under AS 16.20;
  - (2) "riparian management area" means the area along or around a waterbody within the following distances, measured from the outermost extent of the ordinary high water mark of the waterbody:
    - (A) for the braided portions of a river or stream, 500 feet on either side of the waterbody;
    - (B) for split channel portions of a river or stream, 200 feet on either side of the waterbody;
    - (C) for single channel portions of a river or stream, 100 feet on either side of the waterbody;
    - (D) for a lake, 100 feet of the waterbody.

**Evaluation:**

(a) List the habitats from (a) above that are within your proposed project area or that could be affected by your proposed project.

Wetlands, rivers, streams, lakes and their Riparian Management Area.

(b) Describe how the proposed project avoids, minimizes, or mitigates impacts to each of the identified habitat(s) in section (a) above.

About 21.3 miles of road through wetland would have the drainage re-established through B and C closures. B type closures remove high risk structures, C type closures remove all drainage structures, and A type closures do not remove any structures. By meeting BMPs during construction and keeping all vehicles to the appropriate open roads, all areas should meet Forest Plan Standards and Guides.

Fish crossings would be removed on roads or road segments converted from ML 2 (ML 2 are roads open to high clearance vehicles, definitions on page vi-vii in the EA) to ML1B (ML 1B is defined as road closed to motorized vehicles with some structures removed) and ML1C (ML 1C is defined as road closed to motorized vehicles and most structures removed) closures in this alternative. This would remove 4 red and one gray culverts (red and gray culverts are perched, they are not able to pass fish) at Class II fish crossings (these are streams with resident fish), restoring connectivity to 1,063 meters of upstream fish habitat, benefiting fisheries resources. Alternative 2 would

also remove 7 green culverts on ML1B and ML1C roads, which would help maintain the natural range and frequency of aquatic habitat conditions and sustain the diversity and production of fish and other freshwater organisms (USFS 2008).

The standards and guidelines, Best Management Practices (BMPs), and other specific mitigation measures are recommended to prevent or reduce potential impacts associated with the alternatives in this ATMP (Access and Travel Management Plan). The application of the BMPs is designed to fully protect and maintain soil, water, and water-related beneficial uses, and to prevent or reduce non-point source pollution. The state approved the BMPs in the Forest Service's Soil and Water Conservation Handbook FSH 2509.22 (USFS 1996b), as consistent with the Alaska Forest Resources and Practices Regulations.

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(c) No response required.

#### **11 AAC 112.310. Air, land and water quality**

##### **Standard:**

Notwithstanding any other provision of this chapter, the statutes and regulations of the Department of Environmental Conservation with respect to the protection of air, land, and water quality identified in AS 46.40.040(b) are incorporated into the program and, as administered by that department, constitute the exclusive components of the program with respect to those purposes.

**Evaluation:** No response required.

#### **11 AAC 112.320. Historic, prehistoric, and archeological resources.**

##### **Standard:**

- (a) The department will designate areas of the coastal zone that are important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes.
- (b) A project within an area designated under (a) of this section shall comply with the applicable requirements of

AS 41.35.010 – 41.35.240 and 11 AAC 16.010 – 11 AAC 16.900.

##### **Evaluation:**

- (a) Have you contacted the State Historic Preservation Office (SHPO) to see if your project is in a designated area of the coastal zone that is important to the study, understanding, or illustration of national, state, or local history or prehistory, including natural processes?

Yes, The Tongass National Forest conducts reviews to assess whether a project falls within an area of high probability according to the terms of a programmatic agreement (PA) with the Alaska SHPO and the Advisory Council (Agreement # 02MU-111001-076). A literature review is conducted to determine what previous inventories were conducted and whether or not sites are present that are either unevaluated, eligible for, or listed on the National Register of Historic Places. The Forest Service reports upwardly to the State Historic Preservation Office all projects conducted under the modified procedures of the PA in an annual report published for a give fiscal year.

- (b) If your project is within an area designated under (a) of this section, how will you comply with the applicable requirements in the statutes and regulations listed in (b)?

The USDA Forest Service, Alaska Region meets some of its Section 106 review responsibilities under terms of a programmatic agreement with the Alaska SHPO and the Advisory Council (Agreement # 02MU-111001-076). The Tongass National Forest conducts reviews to assess whether a project falls within an area of high probability according to the terms of a programmatic agreement (PA) with the Alaska SHPO and the Advisory Council (Agreement # 02MU-111001-076). A literature review has been conducted to determine what previous inventories were conducted and whether or not sites are present that are either unevaluated, eligible for, or listed on the National



Register of Historic Places. No Historic Properties were identified as being affected by roads in this Access Travel Management Environmental Assessment. Ninety four miles of road have been previously surveyed within the Hoonah ATM, a majority of the roads in this system fall outside of what is considered an area of High Probability according to the PA. The Forest Service reports upwardly to the State Historic Preservation Office all projects conducted under the modified procedures outlined in the PA in a annual report published for each given fiscal year.

### **Affected Coastal District Enforceable Policies**

**Evaluate each applicable district enforceable policy using a format similar to the one you completed above for the State Standards. District enforceable policies are available at <http://alaskacoast.state.ak.us/>. If you need more space for an adequate explanation of any of the applicable district enforceable policies, please attach additional pages to the end of this document.**

### **Applicable District Plan(s) Hoonah**

**Enforceable Policy:** Coastal Development CDLU-1 Priority for Water-dependant and Water-related Uses and CDLU-2 In-Water Development.

**Evaluation:** This project is an inland based activity that could remove fish culverts and bridges. Fill will not be used or placed below mean high water.

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**Enforceable Policy:** Prehistoric, Historic, Archaeological Resources PHAR-1 Historic and Prehistoric Resource Areas and PHAR-2 Resource Protection.

**Evaluation:** The project is not located near the twelve designated sites.

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**Enforceable Policy:** Recreation R-1 Conflict with Recreation Values and Uses R-2 View shed Maintenance.

**Evaluation:** The project is not located near the twelve designated recreation sites.

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**Enforceable Policy:** Subsistence S-1 Development in Subsistence Fish Waters

**Evaluation:** The Hoonah CMP designates three fish streams for subsistence use areas. These areas are near the city of Hoonah and not within the project area.

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## **CONSISTENCY DETERMINATION**

### **15 CFR 930.36. Consistency Determinations for Proposed Activities**

Federal agencies shall review their proposed activities which affect any coastal use or resource in order to develop consistency determinations which indicate whether such activities will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of approved State management programs.

**Based on your evaluation of statewide standards and coastal district enforceable policies and any other relevant factors, if the activity is consistent to the maximum extent practicable with the ACMP, please sign the signature block below.**

Consistency Determination:	
The _____ determines that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the Alaska Coastal Management Program, including the enforceable policies of affected coastal district plans.	
Signature of Agency Representative	Date
Printed Name	

**If the activity is not fully consistent with the ACMP as described in footnote 6, please explain why the activity should be permitted to deviate from full consistency (attach extra pages if necessary):**

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<sup>6</sup> "Consistent to the maximum extent practicable" means fully consistent with the enforceable policies of the ACMP unless full consistency is prohibited by existing law applicable to the federal agency 15 CFR 930.32.

In addition, if the federal agency concludes that its proposed action is fully consistent with the enforceable policies of the ACMP, it may proceed with the activity over the state's objection, as long as the federal agency notifies the state of its decision to proceed before the project commences (15 CFR 930.43(d) and (e)).

[illegible]

## **Project Description for Hoonah Access and Travel Management**

### **A. Detailed description:**

This Environmental Assessment (EA) proposes, and analyzes the effects of, the Hoonah Ranger District Access and Travel Management (ATM) strategy. The decision on the ATM will designate roads and trails that are open to travel by motorized vehicles to implement the 2005 Travel Management Rule (36 CFR 212). In addition, a decision on the ATM and the resulting MVUM will proactively close routes and areas to various forms of motorized subsistence access under ANILCA Section 811(b).

The Hoonah Ranger District is proposing to close about 25 miles of open National Forest System (NFS) road to motorized vehicles. These 25 miles of closed road, added to the 97 miles of NFS road already closed, would leave a total of 122 miles of NFS road closed to highway vehicles on the district. About 141 miles of FS road would remain open to highway vehicles; all or parts of these open roads may be open to both highway vehicles and Off-Highway vehicles (OHVs), contingent on future studies to review the safety aspects of leaving the roads open to both. About 22 miles of existing NFS road would be designated exclusively for OHV use as OHV trails. An additional 11 miles could be opened for OHV trails if funding is made available to make them accessible and/or to address resource concerns. All other parts of the District (areas not displayed as open roads or OHV trails) would be closed to all forms of motorized surface access (except snowmobiles). A more detailed description of the Proposed Action can be found in Chapter 2 of the EA. See Figure 2, and Appendix A at the end of the EA for road locations and proposed maintenance levels.

The project area being analyzed for this ATM EA includes the entire Hoonah Ranger District, mainly comprised of the roaded portion of north Chichagof Island (see Figures 1 and 2). The project area also includes roads that begin on the Hoonah Ranger District that end on the Sitka Ranger District. Access for roads that begin on the Sitka Ranger District and end on the Hoonah Ranger District were decided in by the Sitka District (USDA Forest Service 2007). The project area extends from Icy Strait to Chatham Strait and the upper end of Tenakee Inlet, including the designated wilderness areas of the Pleasant/Lemesurier/Inian Islands. To the west and northwest of the project area is a congressionally designated Unroaded area, Pt. Adolphus/Mud Bay, which is managed as a LUD II, as required by Congress. The main Hoonah road system has a horseshoe shape and accesses the south side of Freshwater Bay on the south leg toward Chatham Strait. The north leg crosses Suntaheen Creek, then follows Iyouktug drainage to Chatham Strait and over to Gypsum Creek on the north side of Freshwater Bay.



Three smaller road systems are not connected to this main system. One system accesses Seal Creek watershed from the north side of Freshwater Bay. Another system extends to the Tenakee Portage area from Salt Lake Bay. The third system accesses the area west of Neka Bay toward Mud Bay from Port Fredrick.

B. Project timeline:

EA will be signed by June 2009 with a Motor Vehicle Use Map completed by December 2009. Actual road closures would be completed as budget becomes available, approximately within the next three - five years.

C. Site plan

See attached maps

D. Modification

No modifications from a previous plan. This is a new plan, the decision on the ATM will designate roads and trails that are open to travel by motorized vehicles to implement the 2005 Travel Management Rule (36 CFR 212).

E. Other supporting documentation

See attached Draft EA.

F. Proposed construction techniques and BMPs

The number of design elements or mitigation measures proposed for this ATM EA is limited because, in the EA, the Forest Service is not analyzing the effects of any ground-disturbance that might be necessary to close, open, or maintain roads. The activities involved in closing, opening, or maintaining a road or motorized trail (and the associated ground-disturbance) are considered part of road and trail maintenance. Road and trail maintenance were categorically excluded from documentation in an EIS or EA unless scoping indicates extraordinary circumstances exist. Extraordinary circumstances are not expected to occur related to road or motorized trail maintenance because effects to resources of road maintenance are minimized through a number of Best Management Practices (BMPs) designed to protect those resources. BMPs are described in the Forest Service's Soil and Water Conservation Handbook (USDA Forest Service 2006). If ground disturbance is required to close, open, or maintain roads or motorized trails, the following standard practices would be implemented to reduce or prevent negative effects:

- Best Management Practices related to stream protection, erosion control, and other ground-disturbance.
- Forest Plan Standards and Guidelines related to wildlife habitat protection (such as those for raptors, brown bears, and threatened and sensitive (TES) species), invasive plants, and protecting other resources.
- Timing windows related to fish for instream work, related to wildlife for disturbance during nesting, or related to the spread of invasive plants.





- Standard mitigation measures related to protecting historic sites, reducing the spread of invasive plants, and protecting other resources.

G. Public notices:

The Hoonah Ranger District ATM EA has been listed in the Tongass National Forest's Schedule of Proposed Activities since April 2007. In addition, the following public involvement activities have occurred.

A Federal Register Notice, *Status of Travel Management Planning and Providing Access for Subsistence Purposes with the USDA Forest Service, Alaska Region*, was published on July 10, 2008. This notice formally initiated the ANILCA Section 811 (b) closure process for Tongass National Forest ATMs.

An informational letter about the upcoming ATM process and request for road use information was mailed to 108 individuals, organizations, institutions, industry representatives, federal and state agencies, Alaska Native groups, municipal offices, and businesses in December 2008. The ATM scoping letter was sent to 41 individuals and groups who provided comments, asked to be on the mailing list, or are mandatory on NEPA mailing lists on January 30, 2009.

A public notice was published in the Juneau Empire on December 4, 2008 to gather road use information. A Public Service Announcement was also published in the Capital Weekly, Sitka Sentinel and the Juneau Empire on January 28, 2009 for the subsistence public hearing. It was also sent to KTOO and KCAW radio stations, Hoonah Post Office, Pelican Post Office, and Angoon Post Office, Hoonah Indian Association, Huna Totem, Kootznoowoo, and several state agencies.

An open house was held at the Hoonah Ranger District Office on December 10, 2008 to gather road use information from the public prior to development of the Proposed Action. An informational meeting and subsistence hearing was held at the Hoonah Ranger District Office on February 26, 2009.

